

REMARKS

***Examiner Interviews***

The Applicant wishes to thank the Examiner and the Examiner's supervisor for the courtesy extended during the telephonic interviews of July 10, 2007 and July 17, 2007. During said interviews, the prior office action was discussed. It was agreed that a potentially fruitful amendment would be to modify current independent claim 37 to indicate that the four or more questions provided to a prospective insured were limited to those produced by the survey method described at least in part on pages 7 to 11 of the Specification. The Applicant has therefore amended claim 37 in accordance with the Examiner's guidance to include what is, in essence, a product by process limitation to describe said four or more questions.

***Information Disclosure Statement***

An information disclosure statement has been filed herewith under 37 CFR 1.97(c)(2). The fee set forth in § 1.17(p) has been paid.

***Amended Claims***

The Applicant has amended claim 37 to include a product by process limitation on the four or more questions provided to the prospective insured. Support is found at least in part on pages 7 to 11 of the Specification.

Claim 38 has been amended to delete the phrase "universal-subjective".

Claim 39 has been amended to delete the phrase "universal-subjective".

Claims 40 to 43 have been cancelled without prejudice.

Claim 44 is new. Support is found on page 7, lines 10 to 16 of the Specification.

Claim 45 is new. Support is found on page 8, lines 5 to 10 of the Specification.

Claim 46 is new. Support is found on page 7, lines 10 to 16 of the Specification.

Claim 47 is new. Support is found on page 4, lines 5 to 11 of the Specification.

***Claim Rejections – 35 USC 112***

The Examiner has rejected claim 43 under 35 USC 112, first paragraph. Said rejection is moot since Applicant has cancelled claim 43.

The Examiner has rejected claims 40 to 43 under 35 USC 112, second paragraph. Said rejection is moot since Applicant has cancelled claims 40 to 43.

***Claim Rejections – 35 USC 103***

The Examiner has rejected claims 37 – 39 and 42 under 35 USC 103(a) as being unpatentable over Haner in view of Lajunen and DeTore.

Independent claim 37 has been amended to include the limitation that the set of four our more questions that tap into personality traits that may affect accident involvement and reporting has been devised by a survey method wherein the four our more questions are selected from a larger set of survey questions based on a measured correlation between the answers to the survey questions and the number of reported auto insurance claims reported.

Neither Haner, Lajunen, nor DeTore teach or suggest the use of questions devised by this method. Current claim 37, therefore, cannot be rejected under 35 USC 103(a) as being unpatentable over Haner in view of Lajunen and DeTore. Current claims 38 and 39 depend upon claim 37 and cannot be rejected for the same reason. Claim 42 has been cancelled.

As per claim 38, neither Haner, Lajunen nor DeTore teach or suggest providing only 4 to 10 questions related to personality traits to a prospective insured. As per claim 39, neither Haner, Lajunen nor DeTore teach or suggest providing only 4 questions related to personality traits to a prospective insured. Thus in addition to the reasons above, current claims 38 and 39 cannot be rejected under 35 USC 103(a) as being unpatentable over Haner in view of Lajunen and DeTore.

The Examiner has rejected claims 40, 41, and 43 under 35 USC 103(a). These rejections are moot in light of the cancellation of said claims.

***Moot Rejections***

In this response, the Applicant makes no admission concerning any now moot rejections or objection, and affirmatively denies any position, statement, or averment of the Examiner that was not specifically addressed herein.

CONCLUSION

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Mark Nowotarski, Applicants' Agent at 203 975 7678 so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,



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